

## Chapter 6.04

### INTRODUCTORY PROVISIONS

#### Sections:

- 6.04.010 Definitions.**  
**(Amended June, 2014)**
- 6.04.020 Pound master--Office created.**  
**(Amended June, 2014)**

#### **6.04.010 Definitions.**

For use in the title, the following terms are defined:

"Animal" means dogs and cats and every other animate being other than humans.

"At heel" means under the voice control and within fifteen (15) feet of the owner or person in custody of the animal.

"At large" means any licensed or unlicensed animal found off the premises of its owner and not under the control of a person, restrained, within a vehicle, housed in a veterinary hospital or kennel, or on a leash, or at heel beside a person and obedient to that person's command.

"Cat" means both male and female animals of the cat family (*felis catus*), whether neutered or not.

"Dangerous animal" means any animal which is not naturally tamed or gentle; or which is of a wild nature or disposition; or which is capable of killing or inflicting serious injury upon human beings and having known tendencies individually to do so; or which, because of its' size or other characteristics, would constitute a danger to human life or property if it is not kept or maintained in a safe manner or in secure quarters, including, but not limited to, the following animals, which shall be deemed as danger-

ous per se: bears, wolves, lions, tigers, panthers, elephants, bison, poisonous snakes and spiders, alligators, crocodiles, anacondas, pythons, boa constrictors, and piranhas.

Further, any animal, except a dog assisting a peace officer engaged in law enforcement duties that demonstrates any of the following behavior, is a "dangerous animal":

(1) Any animal that, when unprovoked, inflicts severe injury on or kills a human being who is conducting himself or herself peacefully and lawfully. A "severe injury" within this chapter means any physical injury to a human being that results in muscle tears or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery.

(2) Any animal designated as a dangerous animal that, after its owner or keeper has been notified of this designation, exhibits any of the behaviors described above.

(3) Any animal that attacks livestock off the property of the owner of the attacking animal.

For the purposes of this Title 6, a person is peaceably and lawfully upon the private property of an owner or possessor of the animal when he or she is on the property in the performance of any duty imposed upon him or her by the laws of this state or any city or county, or by the laws or postal regulations of the United States, or when he or she is on the property upon express or implied invitation.

"Dart" means the process whereby a drug of a sedative nature is delivered to and in-

jected into an animal by means of a projectile shot from a rifle or gun, for the purpose of subduing or rendering an animal unconscious for capture.

"Dog" means both male and female animals of the canine species, whether neutered or not.

"Neutered" means a surgical procedure that has been performed on a dog or cat that renders it incapable of siring or bearing offspring.

"Owner" means any person or persons, firm, association or corporation owning, keeping, sheltering or harboring an animal. (Prior code § 4.0801) (Amended June, 2014)

#### **6.04.020 Pound master--Office created.**

There is created the office of animal control of North Sioux City, South Dakota the duties of which shall be to carry out the provisions of the animal control ordinances of the city. The duties of an animal control officer, as defined herein, shall be assumed and performed by the duly authorized designee of the mayor or the mayor's authorized representative. (Prior code § 4.0810) (Amended June, 2014)